

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
ALEXANDRIA FERNANDES,

Plaintiff,

-v-

GARY A. HERJO,

Defendant.

CIVIL ACTION NO.: 23 Civ. 3078 (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Pursuant to the telephone conference held today, February 7, 2024, the Court orders as follows:

1. The discovery schedule is EXTENDED as follows:
 - a. Fact discovery shall be completed **March 15, 2024**.
 - b. By **March 22, 2024**, the parties shall file a joint letter certifying the completion of fact discovery.
 - c. Expert discovery shall be completed by **April 16, 2024**.
 - d. By **April 23, 2024**, the parties shall file a joint letter certifying the completion of expert discovery.
2. The parties shall promptly meet and confer and, by **February 14, 2024**, file a joint letter (the "Letter") advising whether they intend to pursue settlement and, if so, whether they plan to engage in direct negotiations or request a referral to the Court-annexed Mediation Program or to another Magistrate Judge for a settlement conference.

3. In the Letter, Defendant shall also state each party's place of domicile, i.e., "the place where [they have their] true fixed home and principal establishment, and to which, whenever [they are] absent, [they have] the intention of returning." Palazzo ex rel. Delmage v. Corio, 232 F.3d 38, 42 (2d Cir. 2000). Defendant's prior representation regarding the parties' places of residence (see ECF No. 22) is not sufficient to establish the Court's subject-matter jurisdiction over this action. See Van Buskirk v. United Grp. of Companies, Inc., 935 F.3d 49, 53 (2d Cir. 2019). ("[R]esidence alone is insufficient to establish domicile for jurisdictional purposes.").

Dated: New York, New York
February 7, 2024

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge